

MINUTES
WILLIAMSTOWN BOARD OF SELECTMEN
March 9, 2009
7:00 P.M.

Present: Jane B. Allen, Chair, Tom Costley, Richard C. Steege, David A. Rempell, Ronald Turbin

Others Present: Scott Lewis, Peter Fohlin, Mike Card, Tim Kaiser, Richard DeMayo, Patrick Dunlavey, David Westall, Joe & Karlene McCarthy, Brighesh Patel, Navin Shah, David Carver

- 1. SELECTMEN'S MINUTES:** February 23, 2009 – Mr. Rempell moved to approve the February 23, 2009 minutes. Mr. Costley seconded and the motion carried unanimously.
- 2. PETITIONER'S REQUEST:** None
- 3. ITEMS FOR SELECTMEN'S CONSIDERATION:**
 - A.** Accept Resignation of Cosmo Catalano from the Mt. Greylock Advisory Board – Mr. Costley moved to accept Cosmo Catalano's resignation. Mr. Rempell seconded and the motion carried unanimously.
 - B.** Mt. Greylock Advisory Board Appointment – Scott Lewis – Mr. Rempell moved to appoint Scott Lewis to the Mt. Greylock Advisory Board. Mr. Turbin seconded and the motion carried unanimously.
 - C.** Request from Subway/Scarafoni Realty for a Handicap Ramp at 34 Spring Street - Mr. Westall presented design drawings and a photograph showing the construction of a handicap ramp for access to the proposed site for a Subway food store at 34 Spring Street. The proposed ramp would intrude onto the town's right of way. It was decided to adjourn consideration of the request until the next Selectmen's meeting on March 23 for the purpose of asking town counsel whether the proposal required approval at the Town Meeting. Also, Mr. Westall will provide the Selectmen with the cost of constructing the ramp entirely on the Subway site. Mr. Westall will present a schematic drawing of the proposed ramp at the next meeting.
 - D.** Zoning Bylaw Amendments for Town Meeting Warrant - Increase Zoning Board Associate Members to Three, Village Business Expansion and Village Business Changes

The zoning bylaw amendments presented by members of the Planning Board included expansion of the boundaries of the Village Business District. There were discussions on changing the zoning of the First United Methodist Church and the Williamstown Savings Bank from residential to business. However, Mr. Dunlavey, Mr. DeMayo, Mr. Card and Mr. Fohlin explained that it was important to maintain the Village Green concept. If it was necessary to change the zoning of the First United Methodist Church in the future, a petition could be presented to the Planning Board. Mr. Rempell moved to pass amendments back to the Planning Board. Mr. Costley seconded and the motion carried unanimously

E. Field Park – Ch. 90 Funding Request – Mr. Fohlin and Mr. Kaiser made a detailed presentation on the reconstruction of Field Park and changes to the roadways surrounding the park. Mr. Rempell moved to approve the plan as presented. Mr. Costley seconded and the motion carried unanimously. Mr. Rempell moved to authorize Chairman Allen to sign the Chapter 90 request for funding documents. Mr. Costley seconded and the motion carried unanimously.

F. Water & Sewer Warrant – Mr. Rempell moved to approve the water and sewer warrant in the amount of \$177,462.13. Mr. Turbin seconded and the motion carried unanimously.

G. Blair Lot – Mr. Steege and Mr. Turbin presented their subcommittee report investigating the purchase offer for the Blair Lot made by the Massachusetts Division of Wild Life & Fisheries. Mr. Turbin reported that he had spoken to Peter Milanesi of the Massachusetts Division of Fisheries & Wildlife. Mr. Milanesi explained that the Division is required to pay the appraised value of the lot. The Selectmen could participate in the selection of a State approved appraiser, and if the lot was sold to the Commonwealth, the Commonwealth would pay for the appraisal, which would cost several thousand dollars.

Mr. Turbin further reported that Mr. Milanesi and Leslie Reed Evans informed him that the prospect of timbering the lot is tenuous since the only access is through the property owned by Brian Young. At present, Mr. Young allows the town to access Blair lot through his property. However, we do not have an easement. If Mr. Young sells his farm or if it is developed, it would be unlikely that we would have continued access through the lot. The only other access to the Blair Lot is through other property owned by the Division of Wildlife & Fisheries.

Due to the fact that the only consistent access to the Blair Lot is through other property owned by the Division of Wildlife & Fisheries, it is extremely unlikely that a wind turbine could be sited on top of the Blair Lot. The Division is legally bound to only use Wildlife & Fisheries property to promote wildlife and fishing.

Mr. Fohlin stated that he will draft a warrant for the Town meeting proposing that the Selectmen be authorized to sell the Blair Lot to the Division of Wildlife & Fisheries.

H. Kingston Selectmen re: CPA green initiatives – Mr. Rempell presented a request from the Selectmen of the Town of Kingston asking for our support of legislation to expand the allowable use of CPA funds. Mr. Rempell moved on the recommendation of the Williamstown Community Preservation Act Committee that the selectmen not respond to the Town of Kingston's request. Mr. Steege seconded and the motion carried unanimously.

I. Reuther Post #152 Request for Support for Memorial Day flyover – Mr. Costley moved to support the Memorial Day flyover. Mr. Turbin seconded and the motion carried unanimously.

5. LICENSES AND PERMITS:

A. Common Victualer License – New

Wild Oats Market, 320 Main Street, Michael Faber, General Manager – Mr. Costley moved to approve a Common Victualer License for Wild Oats Market. Mr. Rempell seconded and the motion carried unanimously.

6. TOWN MANAGER’S REPORT: See attached.

7. OTHER BUSINESS: None

8. ADJOURN: Mr. Costley moved to adjourn at 9:10 p.m. Mr. Steege seconded and the motion carried unanimously. The next Selectmen Meeting is Monday, March 23, 2009 at 7 p.m.

Respectfully submitted,

Ronald Turbin, Secretary